

Virginia Manufactured Housing Board
Minutes
March 18, 2004

Board Members Present: James W. Roncaglione, Chairman
Walter K. Hughes, Sr., Vice Chairman
Ava Lewis
William H. Moody
Michael C. Nickell
Ida O. McPherson
William B. Toombs

Board Members Absent : Roger L. Mitchell
E. Thomas Satterwhite

Public Representatives : Ron Dunlap, Executive Director, VAMMHA
Steven DuVal, complainant
John W. Martin, witness for Steven DuVal
Vicki W. Terry, President, Vicki's Homes, Inc., Farmville, VA
Marshall Ellett, Legal Counsel for Vicki's Homes, Inc.

A. Call to Order/Roll Call/Determination of a Quorum.

Chairman Roncaglione called the Virginia Manufactured Housing Board meeting to order at 10:00 a.m. Curtis L. McIver, Secretary to the Board did the Roll Call and a Quorum was present.

B. Approval of the Minutes.

The Virginia Manufactured Housing Board Minutes were accepted as presented. A motion was made by William H. Moody and second by Ava Lewis to accept the Minutes as presented. Chairman Roncaglione called the question and Aye's carried the vote.

C. Public Comment.

None.

D. Committee Reports.

None.

E. Report of the Secretary.

1. Licenses and Recovery Fund Reports.

Currently licensed are 9 brokers, 265 dealers, 66 manufacturers and 780 salespersons. The cash balance Licensing Account is \$20,297.63. The cash balance in the Transaction Recovery Fund Account is \$840,218.81.

F. Unfinished Business.

1. Rena Marshall vs. Millennium Homes.

Final Order was signed and entered. Staff is waiting for W-9 to process payment.

2. Hassell & Debra Underwood vs. Double D Homes (closed dealership).

The final order is being processed for signatures.

3. Catherine Portman vs. Colonial Homes.

The recommendation submitted by Board Member, Ida O. McPherson, was sent to the involved parties by certified mail with a letter dated February 20, 2004. The only response received was by e-mail from Alan T. Gravitt, Attorney representing Colonial Homes Center.

A motion was made by Ida O. McPherson and second by Walter K. Hughes, Sr. to send this case to a formal hearing. Chairman Roncaglione called the question and it was a unanimous vote. This case will be forwarded to a Hearing Officer for a Formal Hearing.

4. Elizabeth Conn vs. Colonial Homes.

The recommendation submitted by Board Member, Ida O. McPherson, was sent to the involved parties by certified mail with a letter dated February 20, 2004. The only response received was by e-mail from Alan T. Gravitt, Attorney representing Colonial Homes Center.

A motion was made by Ida O. McPherson and second by Walter K. Hughes, Sr. to send this case to a formal hearing. Chairman Roncaglione called the question and it was a unanimous vote. This case will be forwarded to a Hearing Officer for a Formal Hearing.

5. Bridgett Bullock vs. American Homestar Corp.

The final order was drafted, signed and returned with the W-9 form. Payment has been processed and mailed to Bridgett Bullock.

6. Proposed amendments to the Regulations.

A copy of the proposed amendments was included in the Board's package for their review. The Board agreed with the amendments that were drafted and instructed staff to handle further revisions to the Regulations.

7. Pending Items – Appeals filed to Circuit Court

- a. Brenda Washington vs. Colonial Homes. – A counter proposal was drafted by Rob Sievers to require each party involved to bear their own attorney's fees.
- b. Ronald Morehart vs. Blairs Housing and Liberty Homes. – No change.
- c. Christine White vs. Colonial Homes. – No change.
- d. License application from John C. Witcher, Jr. – A Gem Homes – No change.
- e. John and Geraldine Brain vs. Manufactured Housing Board. – No change.

8. Completed Agenda Items.

None.

G. New Business.

1. L. Steven DuVal vs. Vicki Homes, Inc.

Mr. DuVal discussed his complaints against Vicki's Homes and alleged violations of the Board's regulations by Vicki's Homes. Several Board Members asked Mr. DuVal to provide proof of his allegations. Mr. Ellett provided responses to some of the allegations on behalf of Vicki's Homes.

Curtis L. McIver advised all parties that he had gone to school with Mr. DuVal and would recuse himself from the case if any one so desired.

Walter K. Hughes, Sr., stated that he did not participate in the motion or vote concerning DuVal vs. Vicki Homes, Inc./Vicki Terry, since his previous employer had a business relationship with Vicki's Homes.

This matter was postponed until the Board's April meeting. This postponement will allow the time needed for L. Steven DuVal to submit additional information requested of him by the Board. Mr. DuVal must submit proof of his allegations within 30 days.

2. Ms. Betty Russell vs. Oakwood Homes.

Tabled until the Board's May meeting. Staff needs additional information concerning the contracts and which one is being enforced.

H. Next Meeting Date and Location.

The next meeting of the Virginia Manufactured Housing Board is scheduled for Thursday, May 20, 2004, at the Department of Housing and Community Development, the Jackson Center, 501 N. 2nd Street, 1st Floor Board Room, Richmond, VA 23219. Telephone No. (804) 371-7160.

I. Adjournment.

The Virginia Manufactured Housing Board Meeting adjourned at 1:45 p.m.

